

**LAW AND JUSTICE COMMITTEE**  
**McHenry County Administration Building**  
**667 Ware Road**  
**Woodstock, IL 60098**

MINUTES OF MONDAY OCTOBER 2, 2006

Chairman Brewer called the meeting to order at 8:32 a.m. The following Committee Members were present: Don Brewer, Chairman; Don Larson; Jim Heisler and Dan Shea. Tina Hill arrived at 8:33a.m. Sue Draffkorn arrived at 8:34a.m. Nick Provenzano was absent. Also in attendance: Kenneth Koehler, Chairman, County Board; Peter Austin, County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; Undersheriff Lowery, Sgt. Stafford and Rich Weinhandl; Sheriff's Department; Michelle Courier, State's Attorney; Barry Valentine; Emergency Services and Disaster Agency; Mark Cook, Public Defender; and interested public.

Donald Brewer, Chairman	
Sue Draffkorn	Jim Heisler
Tina Hill	Don Larson
Nick Provenzano	Dan Shea

MINUTES

Mr. Shea made a motion, seconded by Ms. Draffkorn, to approve the minutes of August 23, 2006. The motion carried with all members present voting aye.

Mr. Heisler arrived at 8:33a.m.

PUBLIC PARTICIPATION

None

Ms. Draffkorn arrived at 8:34a.m.

NEW BUSINESS

*Marengo Rescue Squad Appointment Interviews: Mr. John Beldin, Ms. Caryn Beisner:* Committee members interviewed Mr. John Beldin and Ms. Caryn Beisner for the open position on the Marengo Rescue Squad. There is one open position because of a resignation on the board. Chairman Brewer noted that the committee would vote on this appointment at the end of the meeting.

*Resolution designating each department head as "head of the public body" for their respective department for purposes of appealing a denial of public records made by their department pursuant to the Illinois Freedom of Information Act:* Committee members reviewed a Resolution designating each department head as "head of the public body" for their respective department for purposes of appealing a denial of public records made by their department pursuant to the Illinois Freedom of Information Act. Ms. Courier, from the State's Attorneys office noted this resolution helps with the denial of a FOI request and make sure we are in compliance with State Statute. The Administrator was previously designated as the appeals officer and he would have to forward these appeals to the respective departments. This allows for a more timely response. After review, Ms. Hill made a motion, seconded by Mr. Shea to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Hill, Larson, Shea, Brewer)

Chairman Brewer informed committee members that a tentative agreement has been reached with Labor Unit 3. They noted it should take approximately 10 days to get the contract voted on by the labor unit members. After approval this agreement would be brought forward for approval by the County Board. Chairman Brewer thanked Mr. Ivetic for the great job on the negotiations for this contract.

*Resolution authorizing acceptance of an IDOT Image grant and an emergency appropriation to the Sheriff's FY06 budget:* Committee members reviewed a Resolution authorizing acceptance of an IDOT Image grant and an emergency appropriation to the Sheriff's FY06 budget. Mr. Weinhandl noted this is a yearly grant that is used for enhanced law enforcement. Ms. Hill made a motion, seconded by Mr. Heisler to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Larson, Hill, Shea, Brewer)

*Resolution authorizing acceptance of an IDOT Speed Enforcement Program Grant and an emergency appropriation to the Sheriff's FY06 budget:* Committee members reviewed Resolution authorizing acceptance of an IDOT Speed Enforcement Program Grant and an emergency appropriation to the Sheriff's FY06 budget. It

was noted that this grant will provide additional patrol hours for selective enhanced speed enforcement. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Larson, Hill, Shea, Brewer)

*Resolution authorizing acceptance of an Illinois Department of Natural Resources Award in the amount of \$20,942 and an emergency appropriation to the Sheriff's FY06 budget:* Committee members reviewed a Resolution authorizing acceptance of an Illinois Department of Natural Resources Award in the amount of \$20,942 and an emergency appropriation to the Sheriff's FY06 budget. This grant allows the purchase of two snowmobiles and trailers. Mr. Heisler made a motion, seconded by Ms. Draffkorn to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Hill, Larson, Shea Brewer)

*Resolution authorizing acceptance of a reimbursement check from the Illinois Law Enforcement Training and Standards Board and an emergency appropriation to the Sheriff's FY06 budget:* Committee members reviewed a Resolution authorizing acceptance of a reimbursement check from the Illinois Law Enforcement Training and Standards Board and an emergency appropriation to the Sheriff's FY06 budget. The Sheriff requests that these funds be used for several needs that have been placed on hold due to the lack of funding. Mr. Heisler made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Larson, Hill, Shea, Brewer)

*Resolution authorizing a name change of McHenry County Emergency Services and Disaster Agency to McHenry County Emergency Management Agency:* Committee members reviewed a Resolution authorizing a name change of McHenry County Emergency Services and Disaster Agency to McHenry County Emergency Management Agency. Mr. Valentine noted this brings the departments name in line with national changes. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Larson, Hill, Shea, Brewer)

*Resolution Authorizing Adoption of the McHenry County Emergency Operations Plan:* Committee members reviewed a Resolution Authorizing Adoption of the McHenry County Emergency Operations Plan. Mr. Valentine noted that it is required that the County's emergency plan be updated and adopted every two years. He noted he is required to place this plan for 30 day review and forward it to the State by January 1<sup>st</sup>. Mr. Shea made a motion, seconded by Mr. Larson to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye on a roll call vote (Draffkorn, Heisler, Larson, Hill, Shea, Brewer) Chairman Brewer requested Chairman Koehler bring this information to the attention of the County Board Members during the next County Board meeting, during Chairman's Comments, informing them that the emergency plan is available for review. Mr. Valentine also stated that a copy of the NIMS (National Incident Management System Plan) for how disasters and emergencies are handled is being sent to all of the County Board Members for review. Everyone is to use the same emergency planning system throughout the country. Chairman Brewer requested Chairman Koehler bring this information to the attention of the County Board meeting as well.

*Update on Dispatch Contracts:* Committee members were informed that the contracts have been sent out to 13 agencies. They are arranging meetings to speak with the agencies regarding the contracts. It was noted they are moving along and will bring any information back to the committee.

*Update of Communications System:* Sergeant Stafford joined committee members to provide information regarding and upgrade of the communication system. He stated that a meeting has been scheduled for October 11<sup>th</sup>, for the Region S4 Board. Sgt. Stafford noted this is the advisory board that issues the frequency licenses. If the County cannot get licensed, we cannot move forward with a new communication system. The advisory board's decision impacts various groups. He noted that he has been working with "technical" experts for help with the application. He noted that if the license is not approved on the 11<sup>th</sup> the next meeting is not scheduled for another 6 months. He noted he should know at the meeting whether the license is approved. He noted the decision will determine what programs are wanted. Chairman Brewer requested this discussion remain on the Law & Justice Committee agenda for November and December.

*Discussion of an intergovernmental agreement for providing of Sheriff patrol and enforcement for Fox River*

*View Estates, Algonquin Township:* Committee members entered into a discussion regarding the possible patrol, of a private subdivision in Algonquin Township. An official request by the homeowners association would be needed to start this process. A draft resolution was presented to committee members for review. The homeowners association would be required to bring the subdivision up to code before any patrols would be authorized in the area. It was noted that the current board for the homeowners association is poorly run and committee members did not know when and if this request would be approved by their board. Undersheriff Lowery noted they have limited enforcement capabilities. The passage of an ordinance for the subdivision would help the department go in to write citations, if a request is made. It was recommended this request also be forwarded to the State’s Attorney for review as we want to have consistency across the board. It was recommended that the Homeowners Association be given a list of requirements that would need to be completed before an ordinance could be passed.

OLD BUSINESS

None

EXECUTIVE SESSION

None.

REPORTS

Ms. Hill reported that some of the Management Services committee members have went to the “paperless” board. She questioned whether any of the Law & Justice Committee members would be interested in joining in on the “paperless” packet program. Mr. Heisler, Mr. Larson, Ms. Draffkorn, and Chairman Brewer stated they would like to see the Law & Justice Committee meeting placed on the paperless packet program. Ms. Hill noted that the committee meetings would have to take place in the County Board room in order for members to have access to the commuters being used for this purpose. Chairman Brewer directed the next committee meeting, in November, to be held in the County Board room. Mr. Shea noted he would like to continue receiving a paper copy for meeting packets.

Chairman Brewer informed committee members that a meeting was held, with judicial representatives regarding the additional judges for the 22<sup>nd</sup> Judicial Circuit. He noted that there are 15 expected Judgeships for the 22<sup>nd</sup> Judicial Circuit. Four new courtrooms would be needed. Demolition is expected to begin within the next week and completed by March. Committee members noted concern regarding the shape of the Jury rooms. It was noted that Judge Sullivan is embarrassed by the condition of these rooms. Chairman Brewer noted that additional talks are taking place regarding the possibility of having some satellite courtrooms in the Southeast portion of the County. He noted that there have been two good offers in the area if the parking concerns can be addressed. He noted additional meetings have been scheduled to discuss this issue.

Committee members entered into discussion regarding the open appointment on the Marengo Rescue Squad. Committee members stated that we have two great candidates and this is definitely a hard decision to make. After discussion, Ms. Hill made a motion, seconded by Ms. Draffkorn to recommend the appointment of Ms. Caryn Beisner to the Marengo Rescue Squad. The motion carried with four ayes (Shea, Hill, Draffkorn, Larson) and two nays (Heisler, Brewer)

ADJOURNMENT

On a motion by Ms. Hill, seconded by Mr. Shea, Committee adjourned at 9:47 a.m. with a unanimous voice vote of all ayes.

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**RECOMMENDED FOR COMMITTEE/BOARD ACTION:**

- Recommend appointment of Caryn Beisner to the Margengo Rescue Squad
- Recommend approval of designating each department head as “head of the public body” for their respective department for purposes of appealing a denial of public records made by their department pursuant to the Illinois Freedom of Information Act
- Recommend approval of Resolution authorizing acceptance of an IDOT Image grant and an emergency appropriation to the Sheriff’s FY06 budget

Recommend approval of Resolution authorizing acceptance of an IDOT Speed Enforcement Program Grant and an emergency appropriation to the Sheriff's FY06 budget

Recommend approval of Resolution authorizing acceptance of a DNR Snowmobile grant and an emergency appropriation to the Sheriff's FY06 budget

Recommend approval of Resolution authorizing acceptance of a reimbursement check from the Illinois Law Enforcement Training and Standards Board and an emergency appropriation to the Sheriff's FY06 budget

Recommend approval of Resolution authorizing a department name change

Recommend approval of a Resolution authorizing adoption of the McHenry County Emergency Operation Plan